

REMARKS

This submission is in response to the Office Action dated August 6, 2008 (the "Office Action").

Claims 1-34 are pending. Claims 1, 8, 13, 14, 18-21, 23, 24, 26, 27-29, and 32-34 have been amended. Claim 25 has been canceled without prejudice or disclaimer. Support for the amendments is found in the specification, drawings, and claims as originally filed. No new matter has been added.

Rejections – 35 U.S.C § 103(a)

Claims 1, 2, 4, 6, 7, 10, 11, 13-17 and 23, 24, 26, and 27 are Allowable

The Office has rejected claims 1, 2, 4, 6, 7, 10, 11, 13-17 and 23, 24, 26, and 27 on page 2 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over U.S. Published Application No. 20020087731 to Morrison et al. ("Morrison") in view Cisco SOHO 90 Series Secure Broadband Routers, 1992-2002, Cisco Systems ("Cisco SOHO 90") in view of RFC 1305 Network Time Protocol (Version 3) ("RFC 1305"). Applicants respectfully traverse the rejections.

The cited portions of Morrison, Cisco SOHO 90, and RFC 1305, individually or in combination, fail to disclose or suggest the specific combination of claim 1. For example, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest a plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1. The Office Action admits that the combination of Morrison, Cisco SOHO 90, and RFC 1305 fails to disclose this element of claim 1 (Office Action, p. 15). The Office relies on United States Patent No. 6,438,702 to Hodge ("Hodge") as disclosing this element. However, Hodge fails to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1.

The cited portions of Hodge disclose a network time service that provides synchronization and time of day information in which customer premise equipment initiates the process by requesting time service from a network time server. *See Hodge*, Abstract.

The customer premise equipment of Hodge cannot be equated with the node devices of the home network, as in claim 1. The term customer premise equipment (CPE) is a term that formerly was applied to telecommunications equipment owned by the service provider and located at a customer premises. A thorough reading of Hodge makes clear that the term CPE applies to devices that process time-sensitive information through a communications network and does not extend to, for example, a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven. Therefore, the cited portions of Hodge fail to disclose or suggest this element of claim 1. Further, the cited portions of Hodge fail to disclose or suggest device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1.

Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Hodge, alone or in combination, fail to disclose or suggest at least one element of claim 1. Hence, claim 1 is allowable. Claims 2, 4, 6, 7, 10, 11, and 13 depend from claim 1, which Applicants have shown to be allowable. Accordingly, claims 2, 4, 6, 7, 10, 11, and 13 are also allowable, at least by virtue of their dependence from claim 1.

The cited portions of Morrison, Cisco SOHO 90, and RFC 1305, individually or in combination, fail to disclose or suggest the specific combination of claim 14. For example, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest a plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 14. The Office Action admits that the combination of Morrison, Cisco SOHO 90, and RFC 1305 fails to disclose this element of claim 14 (Office Action, p. 16). Hodge fails to disclose or suggest this element. As discussed above, the customer premise equipment of Hodge cannot be equated with the home network device

nodes of claim 14. Therefore, the cited portions of Hodge fail to disclose or suggest this element of claim 14.

Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Hodge, alone or in combination, fail to disclose or suggest at least one element of claim 14. Hence, claim 14 is allowable. Claims 15-17 and 23, 24, 26, and 27 depend from claim 14, which Applicants have shown to be allowable. Accordingly, claims 15-17 and 23, 24, 26, and 27 are also allowable, at least by virtue of their dependence from claim 14.

Claim 3 is Allowable

The Office has rejected claim 3 on page 13 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Morrison in view of Cisco SOHO 90, RFC 1305, and further in view of Cisco SOHO 71 Broadband Routing Data Sheet ("Cisco SOHO 71"). Applicants respectfully traverse the rejection.

The cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Cisco SOHO 71, individually or in combination, fail to disclose or suggest the specific combination of claim 3. As discussed above, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1.

Claim 3 depends from claim 1, which Applicants have shown to be allowable over Morrison, Cisco SOHO 90, and RFC 1305. The cited portions of Cisco SOHO 71 fail to disclose or suggest the elements of claim 1 that are not disclosed or suggested by the cited portions of Morrison, Cisco SOHO 90, and RFC 1305. For example, the cited portions of Cisco SOHO 71 disclose a broadband router that functions as a modem. However, the cited portions of Cisco SOHO 71 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1.

Therefore, the cited portions of Morrison, SOHO 90, RFC 1305, and Cisco SOHO 71, alone or in combination, fail to disclose or suggest at least one element of claim 1. Hence claim 1 is allowable. Claim 3 depends from claim 1, which Applicants have shown to be allowable. Accordingly, claim 3 is also allowable, at least by virtue of its dependence from claim 1.

Claims 8, 9, 12, 18, 21, and 25 are Allowable

The Office has rejected claims 8, 9, 12, 18, 19, 20, 21, 25, and 34 on page 14 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Morrison in view of Cisco SOHO 90 in view of RFC 1305, and further in view of Hodge. Applicants respectfully traverse the rejections.

As discussed above, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Hodge, individually or in combination, fail to disclose or suggest the specific combination of claim 1.

Hence claim 1 is allowable. Claims 8, 9, and 12 depend from claim 1, which Applicants have shown to be allowable. Accordingly, claims 8, 9, and 12 are also allowable, at least by virtue of its dependence from claim 1.

As discussed above, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Hodge, individually or in combination, fail to disclose or suggest the specific combination of claim 14.

Hence claim 14 is allowable. Claims 18, 21 and 25 depend from claim 14, which Applicants have shown to be allowable. Accordingly, claims 18, 21 and 25 are also allowable, at least by virtue of its dependence from claim 14.

Claim 34 has been amended to depend from claim 28 and is discussed below.

Claims 5 and 22 are Allowable

The Office has rejected claims 5 and 22 on page 18 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Morrison in view of Cisco SOHO 90, RFC 1305, and further in view of Release Notes for Cisco Aironet 1200 Series Access Points Running Firmware Version 12.00T, 2002 ("Aironet"). Applicants respectfully traverse the rejections.

The cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Aironet, individually or in combination, fail to disclose or suggest the specific combination of claim 5. As discussed above, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1.

The cited portions of Aironet fail to disclose or suggest the elements of claim 1 that are not disclosed or suggested by the cited portions of Morrison, Cisco SOHO 90, and RFC 1305. For example, the cited portions of Aironet fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 1. Instead, Aironet discloses that the Cisco Aironet 1200 Series supports prioritized Quality of Service for downlink traffic on IEEE 802.11 links, but does not disclose a method for prioritizing uplink traffic on IEEE 802.11 links. *See Aironet Release Notes*, page 4.

Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Aironet, alone or in combination, fail to disclose or suggest at least one element of claim 1. Hence, claim 1 is allowable. Claim 5 depends from claim 1, which Applicants have shown to be allowable. Accordingly, claim 5 is also allowable, at least by virtue of its dependence from claim 1.

The cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Aironet, individually or in combination, fail to disclose or suggest the specific combination of claim 22. As discussed above, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 14.

The cited portions of Aironet fail to disclose or suggest the elements of claim 14 that are not disclosed or suggested by the cited portions of Morrison, Cisco SOHO 90, and RFC 1305. For example, the cited portions of Aironet fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 14. Instead, Aironet discloses that the Cisco Aironet 1200 Series supports prioritized Quality of Service for downlink traffic on IEEE 802.11 links, but not for prioritizing uplink traffic on IEEE 802.11 links. *See Aironet Release Notes*, page 4.

Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Aironet, alone or in combination, fail to disclose or suggest at least one element of claim 14. Hence, claim 14 is allowable. Claim 22 depends from claim 14, which Applicants have shown to be allowable. Accordingly, claim 22 is also allowable, at least by virtue of its dependence from claim 14.

Claims 28, 29, 31, and 34 are Allowable

The Office has rejected claims 28, 29, and 31 on page 20 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Hodge in view of Cisco SOHO 90, RFC 1305. Claim 34 has been amended to depend from claim 28. Applicants respectfully traverse the rejections.

The cited portions of Hodge, Cisco SOHO 90, and RFC 1305, individually or in combination, fail to disclose or suggest the specific combination of claim 28. For example, the cited portions of Hodge, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28. The Office Action relies on Hodge as disclosing this feature. However, Hodge fails to disclose or suggest the plurality of devices including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28.

The cited portions of Hodge disclose a network time service that provides synchronization and time of day information in which a customer premise equipment initiates the process by requesting time service from a network time server. *See Hodge*, Abstract.

The customer premise equipment of Hodge cannot be equated with the home network device nodes as in claim 28. Hodge makes clear that the term CPE applies to devices that process time-sensitive information through a communications network and does not extend to, for example, a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven. Therefore, the cited portions of Hodge fail to disclose or suggest this element of claim 28. Further, the cited portions of Hodge fail to disclose or suggest device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28.

Therefore, the cited portions of Hodge, Cisco SOHO 90, and RFC 1305, alone or in combination, fail to disclose or suggest at least one element of claim 28. Hence, claim 28 is allowable. Claims 29, 31, and 34 depend from claim 28, which Applicants have shown to be allowable. Accordingly, claims 29, 31, and 34 are also allowable, at least by virtue of their dependence from claim 28.

Claim 30 is Allowable

The Office has rejected claim 30 on page 25 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Hodge in view of Cisco SOHO 90, RFC 1305 and further in view of Aironet. Applicants respectfully traverse the rejections.

The cited portions of Hodge, Cisco SOHO 90, RFC 1305, and Aironet, individually or in combination, fail to disclose or suggest the specific combination of claim 30. As discussed above, the cited portions of Hodge, Cisco SOHO 90, and RFC 1305 fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28.

The cited portions of Aironet fail to disclose or suggest the elements of claim 28 that are not disclosed or suggested by the cited portions of Hodge, Cisco SOHO 90, and RFC 1305. For example, the cited portions of Aironet fail to disclose or suggest the plurality of device nodes including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28. Instead, Aironet discloses that the Cisco Aironet 1200 Series supports prioritized Quality of Service for downlink traffic on IEEE 802.11 links, but not for prioritizing uplink traffic on IEEE 802.11 links. *See* Aironet Release Notes, page 4.

Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and Aironet, alone or in combination, fail to disclose or suggest at least one element of claim 28. Hence, claim 28 is allowable. Claim 30 depends from claim 28, which Applicants have shown to be allowable. Accordingly, claim 30 is also allowable, at least by virtue of its dependence from claim 28.

Claims 32 and 33 are Allowable

The Office has rejected claims 32 and 33 on page 27 of the Office Action, under 35 U.S.C. §103(a), as being unpatentable over Morrison in view Cisco SOHO 90, RFC 1305, and further in view of U.S. Patent No. 6,393,126 van der Kaay et al. (“van der Kaay”). Applicants respectfully traverse the rejections.

The cited portions of Morrison, Cisco SOHO 90, RFC 1305, and van der Kaay, individually or in combination, fail to disclose or suggest the specific combination of claims 32 and 33. As discussed above, the cited portions of Morrison, Cisco SOHO 90, and RFC 1305 fail to disclose at least one element of claim 28, from which claims 32 and 33 depend. The cited portions of van der Kaay fail to disclose the elements of claim 28 that are not disclosed or suggested by the cited portions of Morrison, Cisco SOHO 90, and RFC 1305. For example, the cited portions of van der Kaay fail to disclose the plurality of devices including at least one of a home appliance, a consumer electronics device, an alarm system, an alarm clock, and an oven, as in claim 28. Instead, van der Kaay discloses certifying a trusted local clock with a trusted master clock and signing time stamps using public key cryptography to enable subsequent authentication. *See* van der Kaay, Abstract. Therefore, the cited portions of Morrison, Cisco SOHO 90, RFC 1305, and van der Kaay, separately or in combination, fail to disclose at least

one element of claim 28, or of claims 32 and 33, which depend from claim 28. Hence, claims 32 and 33 are allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the cited references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the rejections, as well as an indication of the allowability of each of the pending claims.

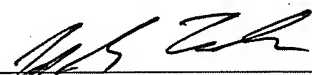
Any changes to the claims in this response, which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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